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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/764,140   | 01/22/2004  | Hing C. Wong         | TNA-005.05          | 6085             |
| 25181  | 7590        | 02/22/2006           | EXAMINER            |                  |
| FOLEY HOAG, LLP<br>PATENT GROUP, WORLD TRADE CENTER WEST<br>155 SEAPORT BLVD<br>BOSTON, MA 02110 |             |                      | JIANG, DONG         |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 1646                |                  |

DATE MAILED: 02/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



### **DETAILED ACTION**

Applicant's preliminary amendment filed on 22 January 2004 is acknowledged and entered. Following the amendment, the original claims 1-36 are canceled, and the new claims 37-55 are amended.

Currently, claims 37-55 are pending.

#### **Species Election:**

This application contains claims directed to the following patentably distinct species: there are two SEQ ID NOs recited in claim 44, SEQ ID NO:2 and 4. The species are independent or distinct because each SEQ ID NO has a distinct sequence structure from the other, and each requires a separate search of the prior art.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP §809.02(a).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

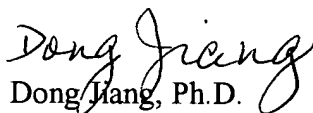
Art Unit: 1646

**Advisory Information**

Any inquiry concerning this communication should be directed to Dong Jiang whose telephone number is 571-272-0872. The examiner can normally be reached on Monday - Friday from 9:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brenda Brumback, can be reached on 571-272-0961. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Dong Jiang, Ph.D.

Patent Examiner

AU1646

2/8/06